

By Nugent

HB. No. 1929

A BILL TO BE ENTITLED

AN ACT

relating to regional orders issued by the Texas Water Quality Board; and providing for formal adoption by the governing bodies of the counties affected by such orders; and adding Subsection (d) to Section 21.070 of the Texas Water Code.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

Section 1. Section 21.070, Water Code, is amended by adding Subsection (d) to read as follows:

"(d) Whenever the Board issues an order of less than statewide effect such that the purpose of said order is to provide regulation with effect within all or part of more than one county, such order shall become effective within any county only after formal adoption by the governing body of said county. Whenever the Board issues an order such that the purpose of said order is to provide regulation within only one county or within part of only one county, such regulation or order shall be effective as specified by the Board, even without formal adoption by the governing body of said county."

Section 2. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted.

HOUSE COMMITTEE REPORT

1977 MAY -6 PM 10: 27
HOUSE OF REPRESENTATIVES

1st. Printing

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1 so enacted.

-END-

COMMITTEE AMENDMENT NO. 1

Amend H.B. No. 1929 by striking Section 1 and substituting in lieu thereof the following:

Section 1. Section 21.070, Water Code, is amended by adding Subsection (d) to read as follows:

"(d) Whenever the board issues an order of less than statewide effect such that the purpose of said order is to provide regulation with effect within all or part of more than one county, such order shall become effective within any county only after formal adoption by the governing body of said county or on the 60th day after the issuance of the order, whichever is earlier. Whenever the board issues an order such that the purpose of said order is to provide regulation within only one county or within part of only one county, such regulation or order shall be effective as specified by the board, even without formal adoption by governing body of said county."

Coleman

COMMITTEE REPORT

The Honorable Bill Clayton
Speaker of the House of Representatives

5/4/77
(date)

Sir:

We, your COMMITTEE ON NATURAL RESOURCES, to whom was referred H.B. 1929,
have had the same under consideration and beg to report back with the recommendation that it
(measure)

- (☒) do pass, without amendment.
() do pass, with amendment(s).
() do pass and be not printed; a Complete Committee Substitute is recommended in lieu of the original measure.

A fiscal note was requested on 3/25/77 and is attached as part of this report.
(date)

~~Author's fiscal statement attached:~~

The Committee recommends that this measure be placed on the (~~House~~ Consent) Calendar.

This measure (☒) proposes new law.
() amends existing law.

~~House Sponsor of Senate Measure:~~

The measure was reported from Committee by the following vote:

	AYE	NAY	PNV	ABSENT
Craddick	✓			
Peveto	✓			
Close				✓
Berlanga				✓
Cain	✓			
Coleman	✓			
Looney	✓			
Massey				✓
Miller				✓
Rudd	✓			
Simpson				✓

Total:
6 aye
0 nay
0 present, not voting
5 absent

Tom Craddick
CHAIRMAN
Reynolds
COMMITTEE COORDINATOR

H.B. 1929
By: Nugent

Committee on Natural Resource

BILL ANALYSIS

Background Information

It is believed that orders of the Texas Water Quality Board affecting all or part of more than one county should be approved by the governing body of any county affected before it becomes effective in that county.

Purpose

H.B. 1929 would require an order affecting all or part of more than one county to be adopted by the governing body of a county before it would become effective within that county.

Section by Section Analysis

Section 1. Provides that a board order affecting all or part of more than one county would not become effective within any county until adopted by the governing board of the county or on the 60th day after the issuance of the order, whichever is earlier. This Act does not apply to board orders affecting only one county or part of one county.

Section 2. Emergency clause.

Summary of Committee Action

Public notice having been posted in accordance with the rules of the House, the Committee on Natural Resources heard H.B. 1929 in a public hearing on March 30, 1977 and referred it to a subcommittee consisting of Massey, Chairman, Rudd, and Berlanga. The subcommittee convened in a formal meeting and voted to refer the bill back to the Committee on Natural Resources without amendments with the recommendation that it do pass on April 25, 1977. On May 4, 1977, the Committee on Natural Resources heard the recommendation of the subcommittee in regard to H.B. 1929 and voted to report the bill back to the House with one amendment with the recommendation that it do pass by a vote of six ayes and no nays.

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE

March 30, 1977


Honorable Tom Craddick, Chairman
Committee on Natural Resources
House of Representatives
Austin, Texas

In Re: House Bill No. 1929
By: Nugent

Sir:

In response to your request pursuant to House Rule V, Section 28, this office finds the fiscal implications of House Bill No. 1929 (relating to regional orders issued by the Texas Water Quality Board) to be as follows:

No fiscal implication or additional cost to the state or units of local government attributable to the bill, should it be enacted, is anticipated.


Thomas M. Keel
Director

Source: Texas Water Quality Board; LBB Staff

Committee Amendment No. 1

By Coleman

Amend H.B. 1929 by striking Section 1 and substituting in lieu thereof the following:

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MAR 11 1977

1. Filed with the Chief Clerk.

MAR 16 1977

2. Read first time and Referred to Committee on

Natural Resources

MAY 6 1977

MAY 4 1977

3. Reported favorably (~~unfavorably~~) and sent to Printer at 4:50P M.
(time)

MAY 6 1977

4. Printed, distributed and sent to the Committee on Calendars at 10:27P M.
(time)

MAY 9 1977 Sent To Committee On Calendars 9:49am

5. Read second time (amended); passed to third reading (failed) by (Non-Record Vote) (Record Vote of _____ yeas, _____ nays, _____ present, not voting).

6. Motion to reconsider and table the vote by which H.B. _____ was ordered engrossed prevailed (failed) by a (Non-record vote) (Record Vote of _____ yeas, _____ nays, and _____ present, not voting).

7. Constitutional Rule requiring bills to be read on three several days suspended (failed to suspend) by a four-fifths vote of _____ yeas, _____ nays, and _____ present, not voting.

8. Read third time (amended); finally passed (failed) by (Non-Record Vote) (Record Vote of _____ yeas, _____ nays, _____ present, not voting).

9. Caption ordered amended to conform to body of bill.

10. Motion to reconsider and table the vote by which H.B. _____ was finally passed prevailed (failed) by a (Non-record) (Record Vote of _____ yeas, _____ nays, and _____ present, not voting).

11. Ordered Engrossed at _____ : _____ M.
(time)

12. Engrossed.

13. Returned to Chief Clerk at _____ : _____ M.
(time)

14. Sent to Senate.

MAY 19 1977

POINT OF ORDER SUSTAINED

Chief Clerk of the House

15. Received from the House _____

16. Read, referred to Committee on _____

17. Reported favorably _____

18. Reported adversely, with favorable Committee Substitute; Committee Substitute read first time.

19. Ordered not printed.

20. Regular order of business suspended by _____
(a viva voce vote.)
(_____ yeas, _____ nays.)

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_____ 21. To permit consideration, reading and passage, Senate and Constitutional Rules suspended by vote of _____ yeas, _____ nays.

_____ 22. Read second time _____ passed to third reading by:
(a viva voce vote.)
(_____ yeas, _____ nays.)

_____ 23. Caption ordered amended to conform to body of bill.

_____ 24. Senate and Constitutional 3-Day Rules suspended by vote of _____ yeas,
_____ nays to place bill on third reading and final passage.

_____ 25. Read third time and passed by
(a viva voce vote.)
(_____ yeas, _____ nays.)

OTHER ACTION: OTHER ACTION:

Secretary of the Senate

_____ 26. Returned to the House.

_____ 27. Received from the Senate (with amendments).

_____ 28. House (Concurred) (Refused to Concur) in Senate Amendments by a (Non-record Vote) (Record Vote of _____ yeas, _____ nays, _____ present, not voting).

_____ 29. Conference Committee Ordered.

_____ 30. Conference Committee Report Adopted (Rejected) by a (Non-record Vote) (Record Vote of _____ yeas, _____ nays, and _____ present, not voting).

_____ 31. Ordered Enrolled at _____ : _____ M.
(time)